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KINGSBOROUGH ATLAS TREE SURGERY, INC.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In Re:  
Kingsborough Atlas Tree Surgery, Inc.  
Debtor.

Case No. 25-10088 WJL  
Chapter 11

Kingsborough Atlas Tree Surgery, Inc.  
Plaintiff,

AP No. 25-01005

vs.

Anvil Power, Inc., a California corporation,  
Anvil Equipment Company LP, a  
California limited partnership, Anvil  
Builders, a California corporation, Anvil  
Holdings, Inc., a California corporation,  
Anvil Group, LLC, a California limited  
liability company, Alan Guy, an individual,  
Defendants.

**AMENDED DECLARATION OF PHILIP J.  
TERRY IN SUPPORT OF PLAINTIFF'S  
SUPPLEMENTAL BRIEF REGARDING  
MOTION FOR TEMPORARY  
RESTRAINING ORDER, PRELIMINARY  
INJUNCTION, AND IMMEDIATE  
TURNOVER OF PROPERTY OF THE  
ESTATE PURSUANT TO 11 U.S.C. §542**

1 I, Philip J. Terry, under penalty of perjury, declares as follows:

2 1. I am a partner in the law firm Carle Mackie Power & Ross LLP, litigation counsel  
3 for Kingsborough Atlas Tree Surgery, Inc. (hereinafter "KBA," "Debtor," or "Plaintiff) in this  
4 adversary proceeding. I know each of the following facts to be true of my own personal  
5 knowledge, except as otherwise stated and if called as a witness, I could and would competently  
6 testify with respect thereto. I make this declaration in support of KBA's Supplemental Briefing  
7 Regarding Motion for Temporary Restraining Order, Preliminary Injunction and Immediate  
8 Turnover of Property of the Estate Pursuant to 11 U.S.C. §542.

9 2. Attached hereto as **Exhibit A** is a true and correct copy of a spreadsheet with a  
10 list of the equipment and vehicles in Anvil's possession. This spreadsheet was prepared by  
11 Anvil and is based on a spreadsheet previously prepared by KBA.

12 3. Attached hereto as **Exhibit B** is a true and correct copy of emails between counsel  
13 communicating Plaintiff's position that all equipment should be delivered by Anvil to KBA.

14 4. Attached hereto as **Exhibit C** is a true and correct copy of a list prepared by KBA  
15 of all equipment that Anvil has returned to KBA.

16 I declare under the penalty of perjury under the laws of the United States of America that  
17 the foregoing is true and correct and if called upon would and could competently testify thereto.

18 Executed this 20th day of March, 2025 at Santa Rosa, California

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20 /s/ Philip J. Terry  
Philip J. Terry

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# EXHIBIT A

Equipment	Year	Make	Model	Description	VIN/SN	Li	Anvil's Asset #	KBA Asset #	Ownership	Location
525 A Skidder	2015	CAT	525D	Wheeled Skidder	GKPD0134	I	A-060-0025	2		Anvil Yard - Fairfield
Arbor Box 2 (AB 2 Utility)	N/A	Connex	8x20	Container	N/A	r	A-500-0027	7		Pennigrove
Arbor Box 3 (AB 3)	N/A	Connex	8x20	Container	N/A	r	A-500-0028	8		Kingsborough Lot - Hwy 12
Arbor Box 4 (AB 4)	N/A	Connex	8x20	Container	N/A	r	A-500-0029	9		Anvil Yard - Fairfield
Arbor Box 5 (AB 5)	N/A	Connex	8x20	Container	N/A	r	A-500-0030	10		Cazadero
Arbor Box 6 (AB 6)	N/A	Connex	8x20	Container	N/A	r	A-500-0031	11		Cloverdal
Arbor Box 7 (AB 7)	N/A	Connex	8x20	Container	N/A	r	A-500-0032	12		Not in Anvil Possession
Arbor Box 8 (AB 8)	N/A	Connex	8x20	Container	N/A	r	A-500-0033	13		Windor Yard
BAD 1	2019	Peterbilt	567	Dump Truck	1NPCL40X18L0686659	N	A-030-0207	15		Kingsborough Lot - Hwy 12
BAD 2	2020	Peterbilt	567	Dump Truck	1NPCL40X18L0686660	N	A-030-0208	16		Kingsborough Lot - Hwy 12
BT-A35	2015	Ford	F-750 Super	Bucket Truck	3FRW7787FV67041	N	A-030-0220	36		Kingsborough Lot - Hwy 12
BT-A42	2017	Freightliner	M2 106	Bucket Truck	3FVACWDT0HUB83916	N	A-030-0221	37		Kingsborough Lot - Hwy 12
CHP-12XPX 1	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25028	I	2-100-0043	54	First Financial	Skyline Office
CHP-12XPX 12	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25519	I	2-100-0051	65	First Financial	Skyline Office
CHP-12XPX 13	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25511	I	2-100-0053	66	First Financial	Skyline Office
CHP-12XPX 14	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25512	I	2-100-0050	67	First Financial	Skyline Office
CHP-12XPX 15	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25666	I	2-100-0052	68	First Financial	Skyline Office
CHP-12XPX 16	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	718.0.2089	I	2-100-0056	69	First Financial	Skyline Office
CHP-12XPX 17	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25671	I	2-100-0059	70	First Financial	Skyline Office
CHP-12XPX 18	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25669	I	2-100-0057	71	First Financial	Skyline Office
CHP-12XPX 19	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper		I	2-100-0055	72	First Financial	Skyline Office
CHP-12XPX 2	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25025	I	2-100-0041	56	First Financial	Skyline Office
CHP-12XPX 20	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25672	I	2-100-0058	73	First Financial	Skyline Office
CHP-12XPX 3	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS24842	I	2-100-0042	57	First Financial	Skyline Office
CHP-12XPX 4	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS24891	I	2-100-0048	58	First Financial	Skyline Office
CHP-12XPX 5	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS2480	I	2-100-0040	59	First Financial	Skyline Office
CHP-12XPX 6	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25670	I	2-100-0048	61	First Financial	Skyline Office
CHP-12XPX 7	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25517	I	2-100-0049	62	First Financial	Skyline Office
CHP-12XPX 8	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25510	I	2-100-0047	63	First Financial	Skyline Office
CHP-12XPX 9	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25521	I	2-100-0046	55	First Financial	Skyline Office
CHP-12XPX 10	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25520	I	2-100-0054	64	First Financial	Skyline Office
CHP-12XPX 11	2023	Bandit	Intimidator 12XPX	Tow-Behind Chipper	4FMUS1610PMS25518	I	2-100-0045	60	First Financial	Skyline Office
CHP-18XP A	2019	Bandit	Intimidator 18XP	Tow-Behind Chipper	4FMUS1810KRS08151	N	A-100-0125	79		Anvil Yard - Fairfield
CHP-18XP F	2020	Bandit	Intimidator 18XP	Tow-Behind Chipper	4FMUS1817LRS12064	N	A-100-0127	84		Anvil Yard - Fairfield
CHP-18XP G	2020	Bandit	Intimidator 18XP	Tow-Behind Chipper	4FMUS1818LRS13303	r	A-100-0128	85		Anvil Yard - Fairfield
CHP-18XP TRACK-1	2018	Bandit	Intimidator 18XP	Tracked Chipper	505513	I	A-100-0129	90		Anvil Yard - Fairfield
CHP-19XP 1	2018	Bandit	Intimidator 19XP	Tow-Behind Chipper	4FMUS1910LRS05540	N	A-100-0130	91		Anvil Yard - Fairfield
CHP-20XP TX A	2019	Bandit	Intimidator	Tracked Chipper	509247	I	A-100-0071	93		Kingsborough Lot - Hwy 12
CHP-20XP-1	2020	Bandit	Intimidator 20XP	Tow-Behind Chipper	4FMUS202ZLRS11855	I	A-100-0075	92		Anvil Yard - Fairfield
CHP-2100 C	2018	Vermeer	BC2100XL	Wood Chipper	1VR2212YH1002038	I	A-100-0076	96		Windor Yard
CHP-2300 B	2019	Vermeer	WC2300XL	Chipper	1VRC302F9H1002004	I	A-100-0123	468		Anvil Yard - Fairfield
CHP-2500 F	2019	Vermeer	WC2500XL	Wood Chipper	1VRP272007K1000118	I	A-100-0072	102		Pellicca Pines - Sly Park
CHP-3090 A	2021	Bandit	3090T	Self Propelled Wood Chipper	517857	I	A-100-0073	103		Kingsborough Lot - Hwy 12
CHP-3090 B	2021	Bandit	3090T	Self Propelled Wood Chipper	519143	I	A-100-0074	104		Windor Yard
DT 4	2022				3HAUEMML9PL195871	I	2-030-0099	471	First Financial	Kingsborough Lot - Hwy 12
DT 5	2022				3HAUEMML9PL209347	I	2-030-0100	472	First Financial	Kingsborough Lot - Hwy 12
DT 6	2022				3F0UJFHTNDA19196	I	2-030-0223	473		Occidental
DT 7	2022				3F0UJFHTNDA19195	I	2-030-0224	474		Cazadero
DT-A120	2021	Isuzu	NQR	Dump Truck	JALE51163M7901004	N	A-030-0205	108		Total Loss
DT-A129	2021	Isuzu	NQR	Dump Truck	JALE51168M7901144	r	A-030-0206	110		Kingsborough Lot - Hwy 12
DT-AB4	2020	International	MV 607	Dump Truck	3HAUEMML4L0460004	I	2-030-0105	124		Windor Yard
ES 12	2022	Subaru	crossstrek	SUV	JF2G7HNCN8250717	I	2-030-0097	130		Emeryville
ES 13	2022	Subaru	crossstrek	SUV	4S4BTANCN8216866	I	2-030-0098	131		Emeryville
ES 14	2021	Subaru	crossstrek	SUV	JF2G7AP7M8267074	I	2-030-0098	132	First Financial	Emeryville
ES 8	2020	Ford	Escape	SUV	2FMCU9H90LUA58188	I	A-030-0214	136		KBA possession
ES-10	2022	Ford	Escape	SUV	2FMPK4193NBA21830	I	A-030-0212	128		Windor Yard
ES-9	2020	Ford	sense	SUV	2FMCU9G68LUA36222	I	A-030-0215	137		Windor Yard
EX-30R	2017	CAT	318E-04	Mid Hydraulic Excavator	1YD8131	N	A-040-0045	143		Kingsborough Lot - Hwy 12
EX-310 PR	2019	Hitchachi	ZS310F-LI-6N	Processor	3FTD0P71KXF16030	I	A-040-0044	147		Anvil Yard - Fairfield
GR-HG6800 B	2021	Vermeer	HG6800TX	Horizontal	1VRK4804EM1001008	I	A-100-0081	159		Kingsborough Lot - Hwy 12
GR-Screener - TR620	2017	Vermeer	TR620	Screening/Trum mel Plant	5655402MS1F001020	I	A-100-0134	160		Kingsborough Lot - Hwy 12
GR-TG7000 A	2018	Vermeer	TG7000	Tub Grinder	1VRV463621002001	I	A-100-0122	161		Kingsborough Lot - Hwy 12
Light Tower		Light Tower		Light Towers (6)		N	A-500-0039	463		Not in Anvil Possession
Light Tower		Light Tower		Light Towers (6)		N	A-500-0040	463		Sonoma
Light Tower		Light Tower		Light Towers (6)		N	A-500-0041	463		Not in Anvil Possession
Light Tower		Light Tower		Light Towers (6)		Y	A-500-0042	463		Windor Yard
Light Tower		Light Tower		Light Towers (6)		N	A-500-0043	463		Not in Anvil Possession
Light Tower		Light Tower		Light Towers (6)		N	A-500-0044	463		Not in Anvil Possession
MBG1	Vermeer	Vermeer	GP	Grapple Bucket	WC47251	N	A-045-0170	168		Windor Yard
MBG2	Vermeer	Vermeer	GP	Grapple Bucket	524294	r	A-045-0171	169		Kingsborough Lot - Hwy 12
MBG3	Vermeer	Vermeer	GP	Grapple Bucket	535901	r	A-045-0172	170		Kingsborough Lot - Hwy 12
MBG4	Vermeer	Vermeer	GP	Grapple Bucket	536545	N	A-045-0173	171		KBA possession
MBG5	Vermeer	Vermeer	GP	Grapple Bucket	WG88134	N	A-045-0174	172		Windor Yard
MB51	Vermeer	Vermeer	GP	Bucket	1VR0030G1G1000169	N	A-045-0175	173		Windor Yard
MB52	Vermeer	Vermeer	GP	Bucket	1VR0030G1G1000161	r	A-045-0176	174		Kingsborough Lot - Hwy 12
MB53	Vermeer	Vermeer	GP	Bucket	1VR0030G7K1000363	r	A-045-0177	175		Kingsborough Lot - Hwy 12
MB54	Vermeer	Vermeer	GP	Bucket	1VR0030G8K1000369	N	A-045-0178	176		Windor Yard
MB55	Vermeer	Vermeer	GP	Bucket	1VR0030G4K1000370	N	A-045-0179	177		Windor Yard
MB56	Vermeer	Vermeer	GP	Bucket	1VR0030G6K1000368	N	A-045-0180	178		Windor Yard
MC-1 Connex	N/A	Connex	8x20	Container	N/A	r	A-500-0034	179		Intertie 23001
MC-A68	2015	Dodge	Ram 1500	Pickup Truck	3C9URDMP6MFG87064	N	A-030-0209	180		Kingsborough Lot - Hwy 12
MC-A88	2017	Ford	F-150	Pickup Truck	1FTFW1C89HKC39097	r	A-030-0160	183		Windor Yard
MC-A89	2020	Ford	F-350 Super	Pickup Truck	1FTW738T9LE07487	I	2-030-0082	184		Windor Yard
PE-T6	2012	Peterbilt	367	Truck Tractor	1XPFD40X7C0146722	N	A-030-0216	187		KBA possession
Pemberton Grapple 308/309	2020	Pemberton	P-2813	Grapple Attachment	1/P-2813-0120	N	A-045-0252	190		Windor Yard
PU-A1 (Rich's Truck)	2023	Ford	F-350 Super	Pickup Truck	1FTW1E19PMFA392062	I	2-030-0225	205		KBA Possession
PU-A100	2020	Ford	F-350 Super	Pickup Truck	1F0BK3F7LEE12478	I	2-030-0226	192		Windor Yard
PU-A101	2020	Ford	F-350 Super	Pickup Truck	1F0BK3F7LEE12479	I	2-030-0227	193		Windor Yard
PU-A102	2020	Ford	F-350 Super	Pickup Truck	1FTW38T3LEE45494	I	2-030-0228	194		Anvil Yard - Fairfield
PU-A104	2020	Ford	F-150	Pickup Truck	1FTW1E19PKFA40584	I	2-030-0229	195		Anvil Yard - Fairfield
PU-A105	2020	Ford	F-350 Super	Pickup Truck	1FTW38T3LEE37303	I	2-030-0230	196		Anvil Yard - Fairfield
PU-A106	2020	Ford	F-350 Super	Pickup Truck	1F0BK3F7LEE09587	I	2-030-0231	197		Anvil Yard - Fairfield
PU-A107	2020	Ford	F-250 Super	Pickup Truck	1FD7X286L1EE00443	I	2-030-0232	198		Windor Yard
PU-A108	2021	Ford	F-350 Super Duty	Pickup Truck	1F0BK3F79MEC05996	I	2-030-0233	199		Windor Yard
PU-A112	2021	Ford	F-350 Super	Pickup Truck	1F0BK3F77MEC05995	I	2-030-0234	202		KBA Possession
PU-A114	2021	Ford	F-150	Pickup Truck	1FTW1E19PMFA39255	I	2-030-0235	203		Anvil Yard - Fairfield
PU-A115	2021	Ford	F-150	Pickup Truck	1FTW1E19PMFA39259	I	2-030-0236	204		Windor Yard
PU-A116	2021	Ford	F-150	Pickup Truck	1FTW1E19PMFA39256	I	2-030-0237	205		Windor Yard
PU-A118	2021	Ford	F-350 Super	Pickup Truck	1FTW38T9MEC62548	I	2-030-0238	206		Anvil Yard - Fairfield
PU-A119	2021	Ford	F-150	Pickup Truck	1FTW1E19PMFA39257	I	2-030-0239	207		Windor Yard
PU-A123	2021	Ford	F-350 Super	Pickup Truck	1F0BK3F79MEC82421	I	A-030-0189	209		Repo 2/14/25
PU-A124	2021	Ford	F-350 Super	Pickup Truck	1FTW38T3MEC62559	I	A-030-0190	210		Repo 2/13/25
PU-A128	2021	Ford	F-150	Pickup Truck	1FTW1E18PMFA391242	I	2-030-0240	212		Skyline Office
PU-A131	2021	Ford	F-150	Pickup Truck	1FTW1E19PMFA39260	I	2-030-0241	213		Cloverdale
PU-A132	2021	Ford	F-150	Pickup Truck	1FTW1E19PMFA39251	I	2-030-0242	214		Windor Yard
PU-A133	2021	Ford	F-150	Pickup Truck	1FTW1E18PMFA39244	I	2-030-0243	215		Sonoma
PU-A134	2021	Ford	F-150	Pickup Truck	1FTW1E18PMFA39241	I	2-030-0244	216		Gravestine
PU-A135	2021	Ford	F-150	Pickup Truck	1FTW1E18PMFA39245	I	2-030-0245	217		Windor Yard
PU-A136	2021	Ford	F-350 Super	Pickup Truck	1FTW38T9MEC100496	I	2-030-0246	218		Insurance
PU-A137	2022	Ford	F-250 Super	Pickup Truck	1FTW38T3MEC38892	I	2-030-0247	219		Anvil Yard - Fairfield
PU-A138	2021	Ford	F-350 Super	Pickup Truck	1FTW38T3MEC46350	I	2-030-0248	220		Windor Yard
PU-A139	2021	Ford	F-350 Super	Pickup Truck	1F0BK3F79MEC65922	I	2-030-0249	221		Windor Yard
PU-A140	2021	Ford	F-350 Super	Pickup Truck	1F0BK3F79MEC65921	I	2-030-0250	222		Anvil Yard - Fairfield
PU-A141	2022	Ford	F-350 Super	Pickup Truck	1F0BK3F79MEC65916	I	2-030-0251	223		Fairfield

PU-A93	2020	Ford	F-250 Super	Pickup Truck	1FT7W28T1LE07476	I	2-030-0077	256	Windsor Yard
PU-A94	2020	Ford	F-250 Super	Pickup Truck	1FT7W28T1LE021354	I	2-030-0078	257	Windsor Yard
PU-A95	2020	Ford	F-350 Super	Pickup Truck	1F0B3F64EC57389	I	2-030-0079	258	Anvil Yard - Fairfield
PU-A96	2020	Ford	F-350 Super	Pickup Truck	1F0B3F64EC57388	I	2-030-0080	259	Windsor Yard
PU-A97	2020	Ford	F-350 Super	Pickup Truck	1F0B3F64EC57397	I	2-030-0081	260	Windsor Yard
PU-A98	2020	Ford	F-450 XL Super	Mechanics Truck	1F0D04H0LE026603	I	A-030-0211	185	Windsor Yard
PU-A99	2020	Ford	F-350 Super	Pickup Truck	1FT7W38T8LE07481	I	2-030-0259	261	Windsor Yard
Rotobec - Saw	2021	Rotobec	Saw	Attachment Saw	16882-6-1	N	N/A	263	Disposed
Rotobec Grapple 308 1	2023	Rotobec	Grapple	Attachment Grapple	16856-1-1	N	A-045-0208	264	Anvil Yard - Fairfield
Rotobec Grapple 308 2	2023	Rotobec	Grapple	Attachment Grapple	18846-2-1	r	A-045-0209	265	24002 Los Gatos
Rotobec Grapple 308 A	2021	Rotobec	Grapple	Attachment Grapple	121043-1-1	r	A-045-0210	266	Anvil Yard - Fairfield
Rotobec Grapple 308 B	2021	Rotobec	Grapple	Attachment Grapple	175619-1-1	N	A-045-0211	267	Sly Park
Rotobec Grapple 308 C	2021	Rotobec	Grapple	Attachment Grapple	2614565-16	N	A-045-0212	268	Unknown Location
Rotobec Grapple 308 D	2021	Rotobec	Grapple	Attachment Grapple	160678-1-1	N	A-045-0213	269	Unknown Location
Rotobec Grapple 308 E	2021	Rotobec	Grapple	Attachment Grapple	176525-1-1	N	A-045-0214	270	Unknown Location
Rotobec Grapple 309	2021	Rotobec	Grapple	Attachment Grapple	188466-1-1	N	A-045-0215	271	Anvil Yard - Fairfield
Rotobec Grapple 309 A	2021	Rotobec	Grapple	Attachment Grapple	08-19-309-029	N	A-045-0216	272	Unknown Location
Rotobec Grapple 309 B	2021	Rotobec	Grapple	Attachment Grapple	173563-1-1	N	A-045-0217	273	Anvil Yard - Fairfield
Rotobec Grapple 309 C	2021	Rotobec	Grapple	Attachment Grapple	172446-1-1	N	A-045-0218	274	Anvil Yard - Fairfield
Rotobec Grapple 325 B	2021	Rotobec	Grapple	Attachment Grapple	165096-4-1	N	N/A	276	Disposed
Rotobec Grapple 325 C	2021	Rotobec	Grapple	Attachment Grapple	153641-2-1-1	N	A-045-0219	277	Unknown Location
SE718-A	2020	Sennelbogen	718 ME	Mobil Tree Material Handler	718.0.2089	I	A-040-0046	281	Kingsborough Lot - Hwy 12
SE718-5	2020	Sennelbogen	718 ME	Mobil Tree Material Handler	718.0.2095	I	A-040-0047	282	Kingsborough Lot - Hwy 12
Spolder Lift 1	2022	CMC	S25	Crawler Articulating Boom Lift	S22A3554	I	A-090-0017	287	Windsor Yard
Soray Rig 1 - 500gal	2017	Willie	500 Gallon	Water Wagon	16362	N	A-100-0089	288	Kingsborough Lot - Hwy 12
SS-249	2017	CAT	249D	Track Skid Steer Loader	GW903886	r	A-060-0020	289	Kingsborough Lot - Hwy 12
SS-279 D	2017	CAT	279D	Track Skid Steer Loader	GTU03507	r	A-060-0026	295	Last Project: 25001
SS-279-M	2020	CAT	27903	Track Skid Steer Loader	RB001948	I	2-060-0017	301	Anvil
SS-279-P	2020	CAT	27903	Track Skid Steer Loader	RB002036	I	2-060-0020	304	Anvil
SS-CTX100 2	2017	Vermeer	CTX100	Mini Skid Steer	1VR2080HK1001660	N	A-060-0029	315	Kingsborough Lot - Hwy 12
SS-CTX100-1	2019	Vermeer	CTX100	Mini Skid Steer	1VR2080HVK1001561	N	A-060-0028	314	Kingsborough Lot - Hwy 12
SS-CTX100-4	2019	Vermeer	CTX100	Mini Skid Steer	1VR2080HVK1001609	N	A-060-0021	317	Kingsborough Lot - Hwy 12
SS-CTX100-5	2019	Vermeer	CTX100	Mini Skid Steer	AVR2080H1K1001781	r	A-060-0022	318	Kingsborough Lot - Hwy 12
SS-CTX100-6	2020	Vermeer	CTX100	Mini Skid Steer	1VR2080H3K1001944	r	A-060-0023	319	Kingsborough Lot - Hwy 12
SS-CTX160 7	2021	Vermeer	CTX160	Mini Skid Steer	1VR3080MAM1000467	r	A-060-0024	320	KBA Possession
STGR SHP	2020	Honda		Stump Grinder	N/A	N	A-100-0082	321	Kingsborough Lot - Hwy 12
STGR-292-A	2019	Vermeer	SC292	Stump Grinder	1V9T102V1001169	r	A-100-0083	322	KBA Possession
STGR-382 A	2019	Vermeer	SC382	Stump Grinder	1VRU1128WX1000197	N	A-100-0084	323	Kingsborough Lot - Hwy 12
STGR-552-1	2019	Vermeer	SC552	Stump Grinder	1VR9138U3L1000344	I	A-100-0085	324	Kingsborough Lot - Hwy 12
STGR-852-B	2017	Vermeer	SC852	Wheelie Stump Grinder - Large	AVR7122L4H1001088	r	A-100-0086	325	Kingsborough Lot - Hwy 12
Tong Thrower	2022	Summit	Tong Thrower		12-2987-00007	N	2-045-0261	475	Sold w/ 2-040-0033 548 Log Loader
TR 1	2021	TrailKing	18 Long Master	Equipment	1TKC02403M112047	N	A-100-0100	326	Kingsborough Lot - Hwy 12
TR 13	2005	Vermeer	Utility Trailer	Utility Trailer	1VRN020L1002693	N	A-100-0027	327	Kingsborough Lot - Hwy 12
TR 14	2018	Karavan	6 ft x 12 ft	Utility Trailer	5KTVS415IF547295	N	A-100-0090	328	Kingsborough Lot - Hwy 12
TR 15	2018	Fabform	BK612-7KR	Utility Trailer	5XK8B122511001118	r	A-100-0077	329	KBA Possession
TR 16	2018	Victory	7'-14"	Van Trailer	4RAVS1425KK068591	N	A-100-0068	330	KBA Possession
TR 17	2018	FELLING	FT14	Equipment	5FTBE17141004939	r	A-100-0091	331	Kingsborough Lot - Hwy 12
TR 18	2017	FELLING	FT14	Equipment	5FTBE17121004941	r	A-100-0092	332	Kingsborough Lot - Hwy 12
TR 19	2017	FELLING	FT14	Equipment	5FTBE17101001083	r	A-100-0093	333	KBA Possession
TR 20	2017	FELLING	FT14	Equipment	5FTBE171211004938	N	A-100-0094	334	Kingsborough Lot - Hwy 12
TR 22	2020	FELLING	FT14	Equipment Trailer	5FTBE1710L1002141	r	A-100-0095	335	Kingsborough Lot - Hwy 12
TR 23	2020	FELLING	FT14	Equipment	5FTCE1718L2002239	r	A-100-0096	336	KBA Possession
TR 24	2019	Trailmax	T-16-UT	Equipment	5UCPT723KAD03965	r	A-100-0101	337	Anvil Yard - Fairfield
TR 25	2019	Butler	LT-1214	Equipment Trailer	1808F1224L2726155	N	A-100-0102	338	Kingsborough Lot - Hwy 12
TR 26	2020	Valor	127U5-5	Equipment	1V9PT2624M1233227	r	A-100-0103	339	KBA Possession
TR 27	2020	Valor	127U5-5	Equipment	1V9PT224L1233006	r	A-100-0104	340	Windsor Yard
TR 28	2021	Trailaze Trailer	TB01-41	Equipment Trailer	10ASFY23MPO23204	N	A-100-0078	341	Windsor Yard
TR 29	2020	Fabform	BK612-7KR	Utility Trailer	5XK8F1429L1000550	N	A-100-0097	342	Windsor Yard
TR 30	2020	Fabform	BK612-7KR	Utility Trailer	5XK8F1624L1000551	N	A-100-0095	343	Kingsborough Lot - Hwy 12
TR 31	2020	Valor	127U5-5	Equipment Trailer	1V9PT226L1233007	N	A-100-0106	344	Police Pines - Sly Park
TR 32	2020	FELLING	LT-712	Equipment	1890F122XL2726211	r	A-100-0107	345	Not in Anvil Possession
TR 33	2020	Carry-on	7 ft x 18 ft	Equipment Trailer	4YMBU2020LR002287	r	A-100-0108	346	KBA Possession
TR 34	2020	Carry-on	7 ft x 18 ft	Equipment	4YMBU2024LR003457	N	A-100-0109	347	Not in Anvil Possession
TR 35	2020	Valor	127U5-5	Equipment	1V9PT2220L1233004	r	A-100-0110	348	Anvil Yard - Fairfield
TR 36	2020	Valor	127U5-5	Equipment	1V9PT2624M1233228	N	A-100-0111	349	Anvil Yard - Fairfield
TR 38	2020	Valor	127U5-5	Equipment	1V9PT2629M1233188	r	A-100-0112	351	Windsor Yard
TR 39	2021	FELLING	FT14	Equipment	5FTCE2025M1001906	N	A-100-0113	352	Kingsborough Lot - Hwy 12
TR 4	1985	Zeiman	1185	Equipment	1ZCE29E24F2P12097	N	A-100-0114	353	Anvil Yard - Fairfield
TR 40	2021	Valor	127U5-5	Equipment	1V9PT2226M1233116	N	A-100-0115	354	Windsor Yard
TR 41	2021	Valor	127U5-5	Equipment	1V9PT2220M1233113	N	A-100-0116	355	Kingsborough Lot - Hwy 12
TR 42	2021	Victory	7'-14"	Van Trailer	4RAVS1422XK062355	N	A-100-0069	356	Anvil Yard - Fairfield
TR 43	2021	Towmaster	T-100T	Equipment	40K8T2123ML161501	r	A-100-0117	357	Windsor Yard
TR 44	2022	Summit	CSF8T18TA3	Equipment	59K8U182XP1012043	I	A-100-0098	358	Windsor Yard
TR 5	2000	Zeiman	1185	Equipment	1ZCE33A27X2P121278	N	A-100-0118	359	Anvil Yard - Fairfield
TR 6	2011	Eagle	16' x 82"	Equipment	1848U2020C10182	N	A-100-0119	360	Not in Anvil Possession
TR 7	2021	Trailmax	T-16-UT	Equipment	5UCPT723KAD03473	r	A-100-0120	361	Windsor Yard
TR 8	2004	Butler	LT-1214	Equipment Trailer	1890R121842726153	N	A-100-0099	362	Kingsborough Lot - Hwy 12
TR LB 1	2001	Murray	55 Ton	Lowboy Trailer	1M9G4520X1A056145	N	A-100-0079	364	Kingsborough Lot - Hwy 12
TR12	2008	Bueller	LT-1014	Equipment	1890R142982778898	N	A-100-0121	365	Not in Anvil Possession
Van 1	2014	Chevrolet	Express Passenger	Van	1GAZG1F67E1194856	r	A-030-0204	366	Windsor Yard
WF 1	2000	ACE	Semi	Walking Floor Trailer	1A923819670074099	N	A-100-0132	367	KBA Possession
WF 4	2021	Dorsey	45	Equipment	5YWC452XNEP23976	N	A-100-0080	369	Windsor Yard
z-24" Bucket (308/309)	CAT	24"	Attachment Excavator Bucket			N	A-045-0155	372	Not in Anvil Possession
z-30" Bucket (308/309)	CAT	30"	Attachment Excavator Bucket			N	A-045-0156	373	Not in Anvil Possession
z-309 Masticator Head 1	CAT	HM208	Attachment Masticator			N	A-045-0248	374	Anvil Yard - Fairfield
z-BG 1	CAT		Attachment Brush Grapple	BRUSH GRAPPLE		N	A-045-0220	375	KBA Possession
z-BG 10	CAT		Attachment Brush Grapple	NW08804	N	A-045-0181	376	Not in Anvil Possession	
z-BG 11	CAT		Attachment Brush Grapple	A4196GR30049	N	A-045-0182	377	Anvil Yard - Fairfield	
z-BG 12	CAT		Attachment Brush Grapple	A4196GR30056	N	A-045-0183	378	Not in Anvil Possession	
z-BG 13	2020	CAT	Attachment Brush Grapple	NW10318	N	A-045-0184	379	Not in Anvil Possession	
z-BG 14	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	NW09960	N	A-045-0185	380	Not in Anvil Possession	
z-BG 15	CAT		Attachment Brush Grapple	A4202GR30060	N	A-045-0186	381	Not in Anvil Possession	
z-BG 16	CAT		Attachment Brush Grapple	A4202GR30054	N	A-045-0187	382	Not in Anvil Possession	
z-BG 17	CAT	286-9301	Skid Steer Grapple Bucket Attachment	2869274-02	r	A-045-0188	383	Windsor Yard	
z-BG 19	2020	CAT	Attachment Brush Grapple		N	A-045-0189	384	Windsor Yard	
z-BG 2	CAT		Attachment Brush Grapple		N	A-045-0190	385	Not in Anvil Possession	
z-BG 20	2020	CAT	Attachment Brush Grapple		N	A-045-0191	386	Anvil Yard - Fairfield	
z-BG 21	CAT		Attachment Brush Grapple	NW 12175	N	A-045-0192	387	KBA Possession	
z-BG 24	CAT		Attachment Brush Grapple		N	A-045-0193	388	Not in Anvil Possession	
z-BG 25	CAT		Attachment Brush Grapple	PT000041376	N	A-045-0194	389	Not in Anvil Possession	
z-BG 26	2021	CAT	286-9301	Skid Steer Grapple Bucket Attachment	A4212GR30110	r	A-045-0195	390	Windsor Yard
z-BG 27	2021	CAT	286-9301	Skid Steer Grapple Bucket Attachment	A421AGR30330	r	A-045-0196	391	Windsor Yard
z-BG 28	2021	CAT	286-9301	Skid Steer Grapple Bucket Attachment	A421BR30119	N	A-045-0197	392	Anvil Yard - Fairfield
z-BG 3	CAT		Attachment Brush Grapple		N	A-045-0198	394	Anvil Yard - Fairfield	
z-BG 30	2020	CAT	286-9301	Skid Steer Grapple Bucket Attachment	A421AGR30335	r	A-045-0199	395	Windsor Yard
z-BG 31	2022	CAT	286-9301	Skid Steer Grapple Bucket Attachment	A4221GR30410	N	A-045-0200	396	Windsor Yard
z-BG 32	2021	CAT	286-9301	Skid Steer Grapple Bucket Attachment	A4226GR30124	N	A-045-0201	397	Windsor Yard
z-BG 4	CAT		Attachment Brush Grapple	286-9301	N	A-045-0202	398	Anvil Yard - Fairfield	
z-BG 6	CAT		Attachment Brush Grapple	108647	N	A-045-0203	399	Not in Anvil Possession	
z-BG 7	CAT		Attachment Brush Grapple	109067	N	A-045-0204	400	Not in Anvil Possession	
z-BG 8	CAT		Attachment Brush Grapple	162-8139	N	A-045-0205	401	Not in Anvil Possession	
z-BG 9	CAT		Attachment Brush Grapple		N	A-045-0206	402	Not in Anvil Possession	
z-BG18	2020	CAT	Attachment Brush Grapple	a4208g30010	N	A-045-0207	403	Windsor Yard	
z-BG 10	2023	Beaver Squeezer BSG	Forestry Grapple Attachment	BW19-113	N	A-045-0221	404	Not in Anvil Possession	
z-BG 11	2023	Beaver Squeezer BSG	Forestry Grapple Attachment	BW19-112	N	A-045-0222	405	Not in Anvil Possession	
z-BG 12	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	BW20-101	N	A-045-0223	406	Anvil Yard - Fairfield	
z-BG 13	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	BW20-101	r	A-045-0224	407	Windsor Yard	
z-BG 15	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	PT000041555	N	A-045-0225	408	Windsor Yard	
z-BG 16	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	NW12484/PT000041554	N	A-045-0226	409	Anvil Yard - Fairfield	
z-BG 17	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	NW12487/PT000062172	N	A-045-0227	410	Windsor Yard	
z-BG 18	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	NW20-128/PT000062189	N	A-045-0228	411	KBA Possession	
z-BG 19	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	NW12489	N	A-045-0229	412	Anvil Yard - Fairfield	
z-BG 20	2020	Beaver Squeezer BSG	Forestry Grapple Attachment	NW-12--	r	A-045-0230	413	Windsor Yard	
z-BG									

z-85 8	2022	Beaver Squeezer	BSG	Forestry Grapple Attachment	BW18-114	N	A-045-0246	429	Anvil Yard - Fairfield
z-85 9	2023	Beaver Squeezer	BSG	Forestry Grapple Attachment	BSG - 15	r	A-045-0247	430	Windsor Yard
z-BTC 300 Masticator Head	2022	Bandit	BTC 300 MA	Track Masticator Grinding Head	73890	N	A-045-0259	431	Anvil Yard - Fairfield
z-BTC 300 Stump Grinder	2021	Bandit	BTC-300	Track Masticator Grinding Head	505266	N	A-100-0124	432	Windsor Yard
z-CAF 1	2022	ECO	CAF 30GL	Compressed Air Foam Fire System	N/A	N	A-500-0035	433	Anvil Yard - Fairfield
z-CAF 7	2022	ECO	CAF 30GL	Compressed Air Foam Fire System	N/A	N	A-500-0036	434	Anvil Yard - Fairfield
z-CAF 8	2022	ECO	CAF 30GL	Compressed Air Foam Fire System	N/A	N	A-500-0037	435	Anvil Yard - Fairfield
z-CB 1-Chip Bucket 1 (SS)		CAT	GP	Attachment Mini Skid Steer Bucket	GP	N	A-045-0157	436	Windsor Yard
z-DB 1-Dirt Bucket 1 (SS)		CAT	GP	Attachment Mini Skid Steer Bucket	GP	N	A-045-0158	437	KBA Possession
z-DB 3-Dirt Bucket 2 (SS)		CAT	GP	Attachment Mini Skid Steer Bucket	GP	N	A-045-0159	438	KBA Possession
z-DB 3-Dirt Bucket 3 (SS)		CAT		Attachment Skid Steer Bucket	A420CBK20334	N	A-045-0160	439	KBA Possession
z-DB 4-Dirt Bucket 4 (SS)		CAT		Attachment Skid Steer Bucket	A4214BK23411	N	A-045-0161	440	KBA Possession
z-DB 5-Dirt Bucket 5 (SS)		CAT		Attachment Skid Steer Bucket	A4215BK20004	N	A-045-0162	441	Not in Anvil Possession
z-EX Wood Screw 1		Terex	S522	Attachment Log Screw/ Log Splitter		N	A-045-0249	442	24002 Los Gatos
z-Forks 1		CAT	GP	Attachment Mini Skid Steer Bucket		Yi	A-045-0163	443	Anvil Yard - Fairfield
z-M 1-FAE Mower		Vermeer	GP	Attachment Mower Mini Skid Steer	N/A	N	A-045-0253	444	Anvil Yard - Fairfield
z-M 2-Yellow Mower		Vermeer		Attachment Mower Mini Skid Steer	N/A	N	A-045-0254	445	Not in Anvil Possession
z-Mini DB 1		CAT		Attachment Forks	4409646	N	A-045-0169	446	KBA possession
z-Mini DB 2		Vermeer		Attachment Mini Skid Steer Bucket	N/A	N	A-045-0164	447	KBA possession
z-Mini Mower 3 (CTX)		Vermeer	SW-36	Attachment Mower Mini Skid Steer	SW-36-10046	N	A-045-0255	448	KBA possession
z-Mini Mower 2 (CTX)		Vermeer	SW-36	Attachment Mower Mini Skid Steer	SW-36-10050	N	A-045-0256	449	KBA possession
z-Rake - Rockland	2019	Rockland	Rake	Attachment Rack	128702	N	A-045-0257	450	Not in Anvil Possession
z-SB 1	2022	CAT	286-9301	Skid Steer Grapple Bucket Attachment	09200915	N	A-045-0165	451	Windsor Yard
z-SB 2	2022	CAT	286-9301	Skid Steer Grapple Bucket Attachment	09200922	N	A-045-0166	452	Anvil Yard - Fairfield
z-Shear 323 A	2020	Westtech	C350 Wood Cracker	Attachment Tree Shear	8120687 (001-70027470)	N	A-045-0260	453	KBA possession
z-ss 1		CAT	GP	Attachment Skid Steer Bucket	GP	N	A-045-0167	455	Anvil Yard - Fairfield
z-ss 2		CAT	GP	Attachment Skid Steer Bucket	783740190	N	A-045-0168	456	Kingsborough Lot - Hwy 12
z-ss 3	2020	Wolverine	SG-13-08D	Attachment Stump Grinder		N	A-100-0088	457	Anvil Yard - Fairfield
z-ss Wood Screw 1		Terex	S522	Attachment Log Screw/ Log Splitter	403121	r	A-045-0250	458	Last Project: 25001
LT1	2021	Interstate	Trailer	Land Trailer	48ALS1423MK077137	N	A-100-0135	N/A	Kingsborough Lot - Hwy 12
LT2	2020	Patriot	Trailer	Land Trailer	4YMB0C1425MR005243	N	A-100-0136	N/A	Kingsborough Lot - Hwy 12
BS - 32		Biever	Attachment	SS Attachment	BW22-133	r	A-045-0263	N/A	Windsor Yard
Rotobec		Rotobec	Attachment	308 Grapple	175330-1-1	N	A-045-0262	N/A	Not in Anvil Possession
Office		ABCONN009		Mobile Office		Yi	A-500-0045	N/A	Anderson
Connex				Connex		Yi	A-500-0047	N/A	Anvil Yard - Fairfield
Connex				Connex- Land					KBA possession
Connex				Connex- Land					KBA possession
Connex				Connex-Mech					KBA possession
Connex				Connex-Mech					KBA possession
Connex				Connex-Mech					KBA possession
Connex				Connex-Utility					KBA possession
Connex				Connex-Utility					KBA possession
Connex				Connex-Utility					KBA possession
Connex				Connex					KBA possession
HG6800 Dolly		Mower		Equipment Trailer HG6800 B Dolly		N	A-100-0137	N/A	Windsor Yard
Mower				FAE Mower 2		N	A-045-0264	N/A	Anvil Yard - Fairfield
CAF	2021	CAF 30GL		Compressed Air Foam Fire System		N	A-500-0048	N/A	Anvil Yard - Fairfield
CAF	2019	CAF 30GL		Compressed Air Foam Fire System		N	A-500-0049	N/A	Windsor Yard
CAF		DX215		Compressed Air Foam Fire System		N	A-500-0050	N/A	Anvil Yard - Fairfield
Shear		295-5950		SH 1 - Stump Harvester		Yi	A-045-0265	N/A	Anvil Yard - Fairfield
Bucket		24"		12" Bucket (CAT)		N	A-045-0266	N/A	Anvil Yard - Fairfield
Bucket				24" Bucket (CAT)		N	A-045-0267	N/A	Anvil Yard - Fairfield

# EXHIBIT B

## Jeff Terry

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**From:** Jeff Terry  
**Sent:** Monday, April 14, 2025 10:08 PM  
**To:** Filippini, Sean  
**Cc:** Kim Corcoran; Kolkey, Christopher; Mari Coppinger; 'mcfallon@fallonlaw.net'; 'Praetzellis, Jack C.'  
**Subject:** RE: Atlas v. Anvil--Return of KBA Equipment

Thank you Sean:

As mentioned in our brief call last Friday, our client does not have the employees available to retrieve equipment/vehicles that your clients have transported to distant locations. It is our position that your clients should make arrangements to physically return all equipment/vehicles in their possession that belong to Kingsborough Atlas Tree Surgery, Inc., to the same Santa Rosa location they delivered equipment/vehicles last week which they had stored in Windsor.

In the meantime, while we attempt to meet and confer, if your clients could please confirm the physical address of all equipment referenced in the list you provided on April 4, 2025, we would appreciate it.

Lastly, as we also discussed, please let me know whether your client "Anvil Power, Inc. dba Atlas Tree Surgery" will agree to stay any further action related to a foreclosure it initiated in Nevada County pursuant to a deed of trust given to your client in connection with an alleged LOC agreement between your client and Kingsborough Atlas Tree Surgery, Inc., pending a final resolution/adjudication of the claims between our respective clients.

Regards,

Jeff

**CMPR**

**Philip J. Terry**  
Partner

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**Carle Mackie Power Ross LLP**

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*If you think that you have received this email message in error, please call or email the sender immediately.*

**From:** Filippini, Sean <sfilippini@DowneyBrand.com>  
**Sent:** Monday, April 14, 2025 4:17 PM  
**To:** Jeff Terry <pjterry@cmpirlaw.com>  
**Cc:** Kim Corcoran <kcorcoran@cmpirlaw.com>; Kolkey, Christopher <ckolkey@downeybrand.com>; Mari Coppinger <mcoppinger@cmpirlaw.com>; 'mcfallon@fallonlaw.net' <mcfallon@fallonlaw.net>; 'Praetzellis, Jack C.'



<jpraetzellis@foxrothschild.com>

**Subject:** RE: Atlas v. Anvil--Return of KBA Equipment

Hi Jeff-

Following up again.

We are still waiting for KBA to provide engagement and direction regarding the remaining KBA equipment that Anvil previously proposed be picked up on April 7.

Please let us know.

Thanks,

Sean J. Filippini

## **DOWNEY BRAND**

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**From:** Filippini, Sean

**Sent:** Friday, April 11, 2025 4:38 PM

**To:** 'Jeff Terry' <pjterry@cmprlaw.com>

**Cc:** 'Kim Corcoran' <kcorcoran@cmprlaw.com>; Kolkey, Christopher <ckolkey@DowneyBrand.com>; 'Mari Coppinger' <mcoppinger@cmprlaw.com>; 'mcfallon@fallonlaw.net' <mcfallon@fallonlaw.net>; 'Praetzellis, Jack C.' <jpraetzellis@foxrothschild.com>

**Subject:** RE: Atlas v. Anvil--Return of KBA Equipment

Jeff-

As I understand it, Anvil has delivered all of the KBA equipment, which was previously located at Anvil's Windsor Yard, to KBA.

However, we still have no engagement or direction from KBA regarding when it will pick up the remainder of the KBA equipment—which is located at other Anvil facilities. This is despite that we notified you on March 31 that the equipment was being turned over and was ready for KBA to pick it up on April 7.

Please let us know when the remaining KBA equipment will be picked up.

Thanks,

Sean J. Filippini

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**From:** Filippini, Sean

**Sent:** Monday, April 7, 2025 12:27 PM

**To:** 'Jeff Terry' <[pjterry@cmprlaw.com](mailto:pjterry@cmprlaw.com)>

**Cc:** Kim Corcoran <[kcorcoran@cmprlaw.com](mailto:kcorcoran@cmprlaw.com)>; Kolkey, Christopher <[ckolkey@DowneyBrand.com](mailto:ckolkey@DowneyBrand.com)>; Mari Coppinger <[mcoppinger@cmprlaw.com](mailto:mcoppinger@cmprlaw.com)>; 'mcfallon@fallonlaw.net' <[mcfallon@fallonlaw.net](mailto:mcfallon@fallonlaw.net)>; 'Praetzellis, Jack C.' <[jpraetzellis@foxrothschild.com](mailto:jpraetzellis@foxrothschild.com)>

**Subject:** RE: Atlas v. Anvil--Return of KBA Equipment

Jeff-

This email confirms that Anvil will begin delivering the KBA equipment, which is presently located at Anvil's Windsor Yard (as identified on the updated spreadsheet I provided on Friday), tomorrow, Wednesday, and potentially Thursday. Anvil will do its best to get all of the KBA equipment (located in Anvil's Windsor Yard) delivered by Thursday. But if that is not possible, we will follow up regarding additional dates.

The other aspect of the return of KBA's equipment is our proposal that KBA pick up all of the other KBA equipment which is presently located at other Anvil facilities (that are identified on the spreadsheet that I previously provided). A week ago, we proposed that KBA pick up all of that other equipment today. But we have yet to hear anything as to whether, let alone when, KBA will come pick up that other equipment.

Please let us know about the other equipment without further delay.

Thanks,

Sean

**From:** Jeff Terry <[pjterry@cmprlaw.com](mailto:pjterry@cmprlaw.com)>

**Sent:** Monday, April 7, 2025 10:33 AM

**To:** Filippini, Sean <[sfilippini@DowneyBrand.com](mailto:sfilippini@DowneyBrand.com)>

**Cc:** Kim Corcoran <[kcorcoran@cmprlaw.com](mailto:kcorcoran@cmprlaw.com)>; Kolkey, Christopher <[ckolkey@downeybrand.com](mailto:ckolkey@downeybrand.com)>; Mari Coppinger <[mcoppinger@cmprlaw.com](mailto:mcoppinger@cmprlaw.com)>; 'mcfallon@fallonlaw.net' <[mcfallon@fallonlaw.net](mailto:mcfallon@fallonlaw.net)>; 'Praetzellis, Jack C.' <[jpraetzellis@foxrothschild.com](mailto:jpraetzellis@foxrothschild.com)>

**Subject:** RE: Atlas v. Anvil--Return of KBA Equipment

This message was sent securely using Zix®

Sean:

Per our conversation last Thursday, this will confirm that our client is prepared to receive equipment/vehicles at its Hwy 12 yard located at 6263 Sebastopol Ave, Santa Rosa starting tomorrow, Tuesday, April 8, 2025, at 8:00 am.

Our client is planning on having staffing available to receive equipment and perform some basic in-take until 12:00 pm each day through Thursday, April 10, 2025. If that is not sufficient time for Anvil to return equipment, let's discuss – as our client will need to make additional staffing arrangements.

Please make sure each piece of equipment and or vehicle has keys, current registration documents and any remote control required to operate the equipment.

Thanks,

Jeff

**CMPR**

**Philip J. Terry**  
Partner

---

**Carle Mackie Power Ross LLP**

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**From:** Filippini, Sean <[sfilippini@DowneyBrand.com](mailto:sfilippini@DowneyBrand.com)>

**Sent:** Friday, April 04, 2025 5:04 PM

**To:** Jeff Terry <[pjterry@cmprlaw.com](mailto:pjterry@cmprlaw.com)>

**Cc:** Kim Corcoran <[kcorcoran@cmprlaw.com](mailto:kcorcoran@cmprlaw.com)>; Kolkey, Christopher <[ckolkey@downeybrand.com](mailto:ckolkey@downeybrand.com)>; Mari Coppinger <[mcoppinger@cmprlaw.com](mailto:mcoppinger@cmprlaw.com)>; 'mcfallon@fallonlaw.net' <[mcfallon@fallonlaw.net](mailto:mcfallon@fallonlaw.net)>; 'Praetzellis, Jack C.' <[jpraetzellis@foxrothschild.com](mailto:jpraetzellis@foxrothschild.com)>

**Subject:** RE: Atlas v. Anvil--Return of KBA Equipment

Jeff and Team-

I have attached a slightly updated list of equipment which has some slight modifications to the equipment list I sent on April 2.

To date, we still have no response to any of my emails proposing the process and timeline for the return of the KBA equipment. Jeff and I spoke last night and Jeff expressed that KBA was not going to be ready to retrieve the equipment on the timeframes we have proposed and that he would need to get back to me as to when it would be ready to receive the equipment that Anvil has proposed to deliver or when KBA would be ready to pick up the equipment that Anvil has proposed be picked up. I have not heard back since.

Anvil's patience in waiting for a response has reached an end. As noted in my below email, a week and a half ago KBA represented to the Court that the equipment needed to be turned over immediately because it was in danger. Yet now that Anvil has voluntarily offered to return it, KBA will not agree to the return. Gamesmanship appears to be the most likely explanation.

Accordingly, please be advised that Anvil intends to begin returning the KBA equipment (located in Anvil's Windsor Yard) to KBA's Santa Rosa (highway 12) facility on Monday, April 7. If the gates on the facility are locked, Anvil will leave the equipment in the lot outside of the facility and/or on the side of the street outside of the facility.

Thanks,

Sean J. Filippini

## DOWNEY BRAND

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**From:** Filippini, Sean

**Sent:** Thursday, April 3, 2025 3:22 PM

**To:** 'Jeff Terry' <[pjterry@cmprlaw.com](mailto:pjterry@cmprlaw.com)>

**Cc:** 'Kim Corcoran' <[kcorcoran@cmprlaw.com](mailto:kcorcoran@cmprlaw.com)>; Kolkey, Christopher <[ckolkey@DowneyBrand.com](mailto:ckolkey@DowneyBrand.com)>; 'Mari Coppinger' <[mcoppinger@cmprlaw.com](mailto:mcoppinger@cmprlaw.com)>; 'mcfallon@fallonlaw.net' <[mcfallon@fallonlaw.net](mailto:mcfallon@fallonlaw.net)>; 'Praetzellis, Jack C.' <[jpraetzellis@foxrothschild.com](mailto:jpraetzellis@foxrothschild.com)>

**Subject:** RE: Atlas v. Anvil--Return of KBA Equipment

Jeff and Team-

Aside from a call yesterday morning with Jeff—where Jeff indicated that Anvil's proposal for the return of KBA's equipment was likely workable—I have yet to hear anything in response to any of my emails regarding the return of the equipment, the first of which was on Monday.

In its motion for turnover order, KBA sought the "immediate" return of the equipment, expressing a belief that the equipment was not being maintained and was being negligently utilized. That being the case, our expectation was that KBA's engagement with us on these issues would be immediate and pro-active. That has not been the case.

Please let us know if we can proceed as outlined below.

Anvil would like to begin delivering the KBA equipment from its Windsor yard immediately.

Additionally, Anvil needs to know immediately whether KBA will be picking up the remaining equipment on April 7, as proposed below.

Please let me know at your earliest convenience.

Thanks,

Sean

# EXHIBIT C

CHK-IN	Equipment	Year	Make	Model	Description	VIN/SN
X	Arbor Box 3 (AB 3)	N\A	Connex	8x20	Container	N\A
X	Arbor Box 7 (AB 7)	N\A	Connex	8x20	Container	N\A
X	BAD 1	2019	Peterbilt	567	Dump Truck	1NPCL40X1LD686659
X	BAD 2	2020	Peterbilt	567	Dump Truck	1NPCL40X8LD686660
X	BT-A35	2015	Ford	F-750 Super Duty	Bucket Truck	3FRWF7FB7FV670741
X	BT-A42	2017	Freightliner	M2 106	Bucket Truck	1FVACWDT0HHJ83916
X	CHP-18XP A	2019	Bandit	Intimidator 18XP	Tow-Behind Chipper	4FMUS1810KR508151
X	CHP-18XP F	2020	Bandit	Intimidator 18XP	Tow-Behind Chipper	4FMUS1817LR512064
X	CHP-19XP 1	2018	Bandit	Intimidator 19XP	Tow-Behind Chipper	4FMUS1910JR505540
X	CHP-20XP TX A	2019	Bandit	Intimidator 20XP	Tracked Chipper	509247
X	CHP-2100 C	2018	Vermeer	BC2100XL	Wood Chipper	1VR2212Y9H1002038
X	CHP-3090 A	2021	Bandit	F-750 Super Duty	Self Propelled Wood Chipper	517857
X	CHP-3090 B	2021	Bandit	3090T	Self Propelled Wood Chipper	519143
X	DT 4	2022				3HAEUMML9PL195871
X	DT 5	2022				3HAEUMML9PL209347
X	DT-A120	2021	Isuzu	NQR	Dump Truck	JALE5J163M7901004
X	DT-A129	2021	Isuzu	NQR	Dump Truck	JALE5J168M7901144
X	ES 14	2021	Subaru	crosstrek	SUV	JF2GTAPC7M8267074
X	ES 8	2020	Ford	Escape	SUV	1FMCU9H90LUA58188
X	ES-10	2022	Ford	Escape	SUV	2FMPK4J93NBA21830
X	ES-9	2020	Ford	senne	SUV	1FMCU9G68LUA36222
X	GR-HG6800 B	2021	Vermeer	HG6800TX	Horizontal Grinder	1VRK4804EM1001008
X	GR-Screener - TR620	2017	Vermeer	TR620	Screening/Trummel Plant	56S5402M5JF001020
X	Light Tower		Light Tower		Light Towers (6)	
X	Light Tower		Light Tower		Light Towers (6)	
X	MBG1		Vermeer	GP	Grapple Bucket	WG47151
X	MBG3		Vermeer	GP	Grapple Bucket	535901
X	MBG5		Vermeer	GP	Grapple Bucket	WG88134
X	MBG7	2022	Vermeer			641347
X	MBS1		Vermeer	GP	Bucket	1VR0030G1G1000169
X	MBS2		Vermeer	GP	Bucket	1VR0030G3K1000361
X	MBS3		Vermeer	GP	Bucket	1V0030G7K1000363
X	MBS5		Vermeer	GP	Bucket	1VR0030G4K1000370
X	MBS8		Vermeer	GP	Squeezer	1VR0030GV1001018

CHK-IN	Equipment	Year	Make	Model	Description	VIN/SN
X	MC-1 Connex	N\A	Connex	8x20	Container	N\A
X	MC-A88	2017	Ford	F-150	Pickup Truck	1FTEW1C89HKC30907
X	MC-A89	2020	Ford	F-350 Super Duty	Pickup Truck	1FT7W3BT9LEE07487
X	PB-T6	2012	Peterbilt	367	Truck Tractor	1XPTD40X7CD146722
X	PU-A1 (Rich's Truck)	2023	Ford	Lightning	Pickup Truck	1FT6W1EV3PWG02062
X	PU-A100	2020	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FT1LEE12478
X	PU-A101	2020	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FT3LEE12479
X	PU-A107	2020	Ford	F-250 Super Duty	Pickup Truck	1FD7X2B61LEE90443
X	PU-A108	2021	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FT9MEC09596
X	PU-A112	2021	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FT7MEC09595
X	PU-A115	2021	Ford	F-150	Pickup Truck	1FTEW1EPXMFA39259
X	PU-A116	2021	Ford	F-150	Pickup Truck	1FTEW1EP4MFA39256
X	PU-A119	2021	Ford	F-150	Pickup Truck	1FTEW1EP6MFA39257
X	PU-A128	2021	Ford	F-150	Pickup Truck	1FTEW1EB9MFA39242
X	PU-A131	2021	Ford	F-150	Pickup Truck	1FTEW1EP6MFA39260
X	PU-A132	2021	Ford	F-150	Pickup Truck	1FTEW1EP5MFA39251
X	PU-A133	2021	Ford	F-150	Pickup Truck	1FTEW1EB2MFA39244
X	PU-A134	2021	Ford	F-150	Pickup Truck	1FTEW1EB7MFA39241
X	PU-A135	2021	Ford	F-150	Pickup Truck	1FTEW1EB4MFA39245
X	PU-A138	2021	Ford	F-350 Super Duty	Pickup Truck	1FT8W3BTXNEC46350
X	PU-A139	2021	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FTXNEC65922
X	PU-A145	2022	Ford	F-150	Pickup Truck	1FTFW1E88NFA92072
X	PU-A158	2020	Ford	F-150 Roush	Pickup Truck	1FTEW1E50LFC10453
X	PU-A159 (Todd's)	2022	Ford	F-350 Super Duty	Todd's Truck	1FT8W3BT3NEF58252
X	PU-A49	2019	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FT2KED12663
X	PU-A51	2019	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FT0KED12662
X	PU-A58	2019	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FT7KEE93680
X	PU-A59	2019	Ford	F-350 Super Duty	Pickup Truck	1FD8X3FTXKEF03649
X	PU-A92	2020	Ford	F-250 Super Duty	Pickup Truck	1FT7W2BT4LEE21355
X	PU-A93	2020	Ford	F-250 Super Duty	Pickup Truck	1FT7W2BT1LEE07476
X	PU-A94	2020	Ford	F-250 Super Duty	Pickup Truck	1FT7W2BT2LEE21354
X	PU-A96	2020	Ford	F-350 Super Duty	Pickup Truck	1FD8X3F6XLEC57388
X	PU-A97	2020	Ford	F-350 Super Duty	Pickup Truck	1FD8X3F60LEC57397
X	PU-A98	2020	Ford	F-450 XL Super Duty	Mechanics Truck	1FD0W4HT0LEE26603



CHK-IN	Equipment	Year	Make	Model	Description	VIN/SN
X	PU-A99	2020	Ford	F-350 Super Duty	Pickup Truck	1FT7W3BT8LEE07481
X	Spider Lift 1	2022	CMC	S25	Crawler Articulating Boom Lift	S22A3554
X	Spray Rig 1 - 500gal		Wylie	500 Gallon	Water Wagon	16362
X	SS-249D				Track Skid Steer Loader	CAT0249DCGWR01886
X	SS-CTX100-1	2019	Vermeer	CTX100	Mini Skid Steer	1VRZ080H9K1001561
X	SS-CTX100-4	2019	Vermeer	CTX100	Mini Skid Steer	1VRZ080H5K1001699
X	SS-CTX100-5	2019	Vermeer	CTX100	Mini Skid Steer	AVRZ080H1K1001781
X	SS-CTX100-6	2020	Vermeer	CTX100	Mini Skid Steer	1VRZ080H3K1001944
X	SS-CTX160 7	2021	Vermeer	CTX160	Mini Skid Steer	1VR3080MAM1000467
x	STGR-292-1	2018	Vermeer	SC292	Stump Grinder	1VF102Y2J1001169
x	STGR-382 A	2019	Vermeer	SC382	Stump Grinder	1VRU112BXK1000197
X	STGR-552-1	2019	Vermeer	SC552	Stump Grinder	1VR9138U3L1000344
X	STGR-852-B	2017	Vermeer	SC852	Wheeled Stump Grinder - Large	AVR7122L4H1001088
X	TR 1	2021	TrailKing	18 Load Master	Equipment Trailer	1TKC024203M112047
X	TR 14	2018	Karavan	6 ft x 12 ft	Utility Trailer	5KTVS1419JF547295
X	TR 18	2017	FELLING	FT14	Equipment Trailer	5FTBE1712J1004941
X	TR 19	2017	FELLING	FT14	Equipment Trailer	5FTBE1710J1001083
X	TR 22	2020	FELLING	FT14	Equipment Trailer	5FTBE1710L1002141
X	TR 23	2020	FELLING	FT14	Equipment Trailer	5FTCE1718L2002239
X	TR 25	2019	Butler	LT-1214	Equipment Trailer	1b9df1224k2726155
X	TR 26	2020	Valor	12TUS-5	Equipment Trailer	1V9PT2624M1233227
X	TR 28	2021	Traileze Trailer	TE801-41	Equipment Trailer	1DASFCY23MP023204
X	TR 30	2020	FabForm	BX612-7KR 6'X16'	Utility Trailer	58XBF1624L1000551
X	TR 33	2020	Carry-on Trailer	7 ft x 18 ft	Equipmant Trailer	4YMBU2020LR002287
X	TR 38	2020	Valor	12TUS-5	Equipment Trailer	1V9PT2629M1233188
X	TR 39	2021	FELLING	FT14	Equipment Trailer	5FTCE2025M1001906
X	TR 40	2021	Valor	12TUS-5	Equipment Trailer	1V9PT2226M1233316
X	TR 41	2021	Valor	12TUS-5	Equipment Trailer	1V9PT2220M1233313
X	TR 43	2021	Towmaster	T-10DT	Equipment Trailer	4KNBT2123ML161501
X	TR 44	2022	Summit Trailer	C5FB718TA3	Equipment Trailer	59KBU182XP1012043
X	TR 7	2018	Trailmax	T-16-UT	Equipment Trailer	5UCPT2726JA003473
X	TR LB 1	2001	Murray	55 Ton	Lowboy Trailer	1M9G4520X1A056145
X	Van 1	2014	Chevrolet	Express Passenger	Van	1GAZG1FG7E1194856
X	WF 1	2000	ACE	Semi	Walking Floor Trailer	1A9236196Y0074099



CHK-IN	Equipment	Year	Make	Model	Description	VIN/SN
X	WF 4	2021	Dorsey	45'	Walking Floor Trailer	5JYCW452XNEP23976
X	Wood Mill		WoodMiser		Wood Mill	
X	z-BG 1		CAT		Attachment Brush Grapple	BRUSH GRAPPLE
X	z-BG 16		CAT		Attachment Brush Grapple	A4202GR30054
X	z-BG 17		CAT	286-9301	Skid Steer Grapple Bucket	2869274-02
X	z-BG 19	2020	CAT		Attachment Brush Grapple	
X	z-BG 26	2021	CAT	286-9301	Skid Steer Grapple Bucket	A4212GR30110
X	z-BG 3		CAT		Attachment Brush Grapple	
X	z-BG 30	2020	CAT	286-9301	Skid Steer Grapple Bucket	A421AGR30335
X	z-BG 31	2022	CAT	286-9301	Skid Steer Grapple Bucket	a4221GR30410
X	z-BG 32	2021	CAT	286-9301	Skid Steer Grapple Bucket	A4226GR30124
X	z-BG 8		CAT		Attachment Brush Grapple	162-8139
X	z-BG 9		CAT		Attachment Brush Grapple	
X	z-BG18	2020	CAT		Attachment Brush Grapple	a4208gr30010
X	z-BS 13	2020	Beaver Squeezer	BSG	Forestry Grapple Attachment	BW20-101
X	Z-BS 18	2020	Beaver Squeezer	BSG	Forestry Grapple Attachment	BW20-128/PT000062189
X	z-BS 20	2020	Beaver Squeezer	BSG	Forestry Grapple Attachment	NW-12---
X	z-BS 21	2020	Beaver Squeezer	BSG	Forestry Grapple Attachment	NW 12485
X	Z-BS 24	2020	Beaver Squeezer	BSG	Forestry Grapple Attachment	nw12482/PT000041551
X	z-BS 27	2020	Beaver Squeezer	BSG	Forestry Grapple Attachment	NW13209/PT000062143
X	z-BS 31	2020	Beaver Squeezer	BSG	Forestry Grapple Attachment	NW14616/PT000074556
X	z-BS 32				Forestry Grapple Attachment	BW-22-131
X	z-BS 4	2022	Beaver Squeezer	BSG	Forestry Grapple Attachment	BW 15-107
X	z-DB 1-Dirt Bucket 1 (SS)		CAT	GP	Attachment Mini Skid Steer Bucket	565047
X	z-DB 2-Dirt Bucket 2 (SS)		CAT	GP	Attachment Mini Skid Steer Bucket	561847
X	z-Forks 1		CAT	GP	Attachment Mini Skid Steer Bucket	
X	z-M 2-Yellow Mower		Vermeer		Attachment Mower Mini Skid	N/A
X	z-Mini DB 2		Vermeer		Attachment Mini Skid Steer Bucket	N/A
X	z-Mini Mower 1 (CTX)		Vermeer	SW-36	Attachment Mower Mini Skid	SW-36-10046
X	z-ss 2		CAT	GP	Attachment Skid Steer Bucket	783740190
X	LT1	2021	Interstate	Trailer	Land Trailer	4RAL51423MK077137
X	LT2	2020	Partriot	Trailer	Land Trailer	4YMBC1425MR005243
X	Connex				Connex-Academy	
X	Connex				Connex- Land	

CHK-IN	Equipment	Year	Make	Model	Description	VIN/SN
X	Connex				Connex-Mech	
X	Connex				Connex-Mech	
X	Connex				Connex-Mech	
X	HG6800 Dolly			Mower	Equipment Trailer HG6800 B	
X	CAF-2		2019	DX225	Compressed Air Foam Fire	

1 **CERTIFICATE OF SERVICE**

2 I am a citizen of the United States. My business address is 100 B Street, Suite 400, Santa  
3 Rosa, CA 95401. I am employed in the County of Sonoma where this service occurs. I am over  
the age of 18 years and not a party to the within cause.

4 On the date set forth below, following ordinary business practice, I served a *true copy* of  
the following document(s):

5 **AMENDED DECLARATION OF PHILIP J. TERRY IN SUPPORT OF PLAINTIFF'S**  
6 **SUPPLEMENTAL BRIEF REGARDING MOTION FOR TEMPORARY**  
7 **RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND IMMEDIATE**  
**TURNOVER OF PROPERTY OF THE ESTATE PURSUANT TO 11 U.S.C. §542**

addressed as follows :

8 Sean J. Filippini  
9 DOWNEY BRAND LLP  
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Attorneys for Defendants

ANVIL POWER, INC., ANVIL EQUIPMENT  
COMPANY LP, ANVIL BUILDERS, ANVIL  
HOLDINGS, INC., ANVIL GROUP, LLC,  
ALAN GUY

14 ☒ (BY ELECTRONIC SERVICE VIA THE COURT'S ELECTRONIC CASE FILING  
15 ("ECF") SYSTEM) I transmitted a true and correct copy of the document(s) listed above to ECF  
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17 5(d)(3). A copy of the Filing Receipt page will be maintained with the original document(s) in  
our office.

18 I declare under penalty of perjury under the laws of the United States of America that the  
foregoing is true and correct.

19 DATED: May 20, 2025

21 /s/ Dawn Marshall  
Dawn Marshall